delivering the criminal the plaintiff learned of the offer. On delivery the defendant refused to pay the reward. *Held,* the plaintiff can recover. *Hoggard* v. *Dickerson* (Mo.), 165 S. W. 1135.

On principle and by the weight of authority, a reward is classified as an ordinary contract, necessitating knowledge of the offer and its acceptance by performance of the conditions. *Williams* v. *Chicago St. Ry. Co.,* 191 Ill. 610, 61 N. E. 456, 85 Am. St. Rep. 278; *Broadnax* v. *Ledbetter,* 100 Tex. 375, 99 S. W. 1111, 9 L. R. A. (N. S.) 1057. Some cases, however, attempt to distinguish rewards as a peculiar species of contract, maintaining that the performance of the condition is the sole interest of the offerer, and lack of knowledge on the part of the performer in no way affects the value of the services rendered. Their holding then is that knowledge of the offer is not essential. *Dawkins* v. *Sappington,* 26 Ind. 199; *Auditor* v. *Ballard,* 9 Bush. (Ky.) 572, 15 Am. Rep. 728. It is suggested that there can be no legal obligation resting upon the offerer until the acceptor has suffered detriment on the faith of the offer. There must be consideration for the offer. But however, where part of the conditions remain yet unfulfilled, the acceptor learning of the offer after part performance, his completion of the conditions constitute consideration and entitle him to the reward. *Coffey* v. *Commonwealth* (Ky.), 37 S. W. 575. Such was the case in *Hoggard* v. *Dickerson, supra.*

CORPORATIONS—RIGHT OF A CORPORATION TO PURCHASE ITS OWN STOCK.—A corporation repurchasing its own stock gave a note in payment. When the note matured the corporation was insolvent. *Held,* the contract is uninforcible. *In re Fechheimer Fishel Co.* (C. C. A.), 212 Fed. 357. See NOTES, p. 72.

CRIMINAL LAW—SENTENCE—INDEFINITE SUSPENSION.—A judgment sentenced the accused to a term of imprisonment but further provided for the suspension of the sentence during the good behavior of the accused. *Held,* the suspension is void though the remainder of the judgment, the sentence, is enforcible. *Reese* v. *Olsen* (Utah), 139 Pac. 941.

It is said that such a suspension by the judiciary usurps the executive perogative of pardon and reprieve, and that uncertainty is given to judicial action by an indefinite suspension of sentence. *State* v. *Sturgis* (Me.), 85 Atl. 474; *Norman* v. *Rehberg* (Ga.), 78 S. E. 256. But it has been held that such a suspension is an inherent right of the court and is the only means of doing justice in some cases. *Fuller* v. *State* (Miss.), 57 So. 806. And it is further said that though the suspension is void, the judgment is severable and the sentence is valid and is only satisfied by the actual suffering of the imprisonment. *State* v. *Buckley,* 75 N. H. 402, 74 Atl. 875; *Neal* v. *State,* 104 Ga. 507, 30 S. E. 858. By the weight of authority, however, by a release on an indefinite suspension of sentence the court loses jurisdiction and a later attempt to enforce the sentence may be defeated and the prisoner relieved in habeas corpus proceedings. *People* v. *Barrett,* 202 Ill. 287, 67

N. E. 23; *Ex parte Peterson,* 19 Idaho 433, 113 Pac. 729; *State* v. *Clifford* (N. J.), 87 Atl. 97.

DEATH BY WRONGFUL ACT—LIMITATION OF ACTIONS.—An employee of the defendant injured by the wrongful act of the defendant subsequently died from the injuries. During his life he brought no action for the injuries, such action dying with him. *Held,* the failure of the decedent to bring an action during his life is no bar to an action by his administrator for his death by wrongful act under the statute allowing such a cause of action. *Causey* v. *Seaboard Air Line Ry.* (N. C.), 81 S. E. 917. See 1 VA. L. REV. 577.

EVIDENCE—EVIDENCE OF OTHER CRIMES—ADMISSIBILITY.—In an action for statutory rape, where the consent of the female was immaterial, it was attempted to introduce evidence of other acts of sexual intercourse between the parties committed subsequenly to the act charged. *Held,* such evidence is admissible. *People* v. *Thompson* (N. Y.), 106 N. E. 78.

Sexual offences form a well-recognized exception to the general rule excluding in a criminal prosecution, evidence of some other crime than that for which the accused is being tried. *People* v. *Patterson,* 102 Cal. 239, 36 Pac. 436; *Bass* v. *State,* 103 Ga. 227, 29 S. E. 966; *State* v. *Tilden* (Wash.), 140 Pac. 680. It is well settled that evidence of other acts of intercourse occurring prior to the act charged is admissible. *Cross* v. *State,* 78 Ala. 430; *State* v. *Markins,* 95 Ind. 464, 48 Am. Rep. 733. But the authorities are in conflict as to the admission of evidence of such acts subsequent to the one being tried. The weight of modern authority favors the admission of such evidence, within the discretion of the trial court. *State* v. *Henderson* (Mo.), 147 S. W. 480; *Morris* v. *State* (Okla.), 131 Pac. 731; 1 Wigmore, Ev., § 399. But there is authority to the contrary. *State* v. *Hilberg,* 22 Utah 27, 61 Pac. 215; *People* v. *Davis* (Mich.), 141 S. W. 667.

FOREIGN CORPORATIONS—RIGHT TO DO BUSINESS.—A foreign corporation desiring to do business in a state, as a condition precedent to entering the state was required to pay a fee apportioned on its capital stock. The business to be engaged in by the corporation was strictly intrastate. *Held,* the tax is valid. *State ex rel. Gen. Electric Co.* v. *Alderson* (Mont.), 140 Pac. 82. See 1 VA. L. REV. 477.

HUSBAND AND WIFE—ALIENATION OF AFFECTIONS—DIVORCE AS BAR TO ACTION.—A right of action for alienation of his wife's affections had accrued to the husband prior to an absolute divorce granted the wife for abandonment. *Held,* the divorce does not bar a recovery. *Hostetter* v. *Green* (Ky.), 167 S. W. 919.

Though the husband was guilty in failing to perform his marital duties to an extent sufficient to give grounds for divorce, such does not remove the guilt of the defendant. The wrong being done a divorce does not remove it, nor should the husband's right of recovery once